

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
NOV 25 2009

JOHN F. CORCORAN, CLERK

BY:  DEPUTY CLERK

MAURICE P. SCOTT,
Petitioner,

v.

PRISON GUARD KELLY, WARDEN,
Respondent.

Civil Action No. 7:09-cv-00377

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

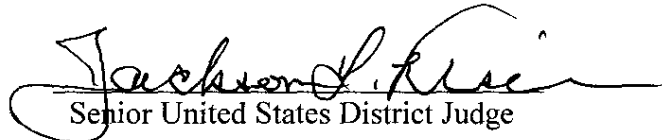
that petitioner's petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is

DISMISSED as untimely filed; a Certificate of Appealability is **DENIED**; and the action is

STRICKEN from the active docket of the court.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to the petitioner.

ENTER: This 25th day of November, 2009.


Senior United States District Judge